

in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

H.R. 911. An act to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building."

Under the authority of the order of January 6, 1999, the enrolled bills were signed on April 16, 1999, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE

At 12:17 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution permitting the use of the Rotunda of the Capitol for a Ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO.

H. Con. Res. 83. Concurrent resolution expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic release the three detained United States servicemen and abide by the Geneva Conventions regarding the treatment of both prisoners of war and civilians.

MEASURES REFERRED

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 83. A concurrent resolution expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic release the three detained United States servicemen and abide by the Geneva Conventions regarding the treatment of both prisoners of war and civilians; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-29. A resolution adopted by the Senate of the Legislature of the State of Michigan; to the Committee on Appropriations.

SENATE RESOLUTION NO. 21

Whereas, The Michigan National Guard carries out a demanding mission with responsibilities to both the state and the federal government. The citizen soldiers who make up the National Guard must train to meet a demanding federal role in support of the active components of the Armed Forces as well as remaining on call to assist with emergencies in the state; and

Whereas, Training time is precious for the National Guard personnel who must strive to match active duty standards. In order to maximize training time, a cadre of full-time National Guard personnel carry out a number of duties essential to the smooth functioning of a National Guard unit. They make sure everybody is paid on time, review retirement points, process orders for military

education, and resolve other administrative issues for the soldiers and airmen; and

Whereas, Analysis by the Department of Defense shows that the National Guard has fewer than half the number of full-time personnel required to perform all the tasks necessary to carry out its missions. Nonetheless, federal budget analysts continue to propose additional cuts to the full-time force in the National Guard; and

Whereas, Even maintaining the status quo increases the duties of the full-time personnel because of the greater burden the National Guard shoulders today. Operations in Bosnia, the Sinai, Haiti, and the Gulf, plus support for the war on drugs, increase the workload of full-time staff. Additional missions such as the National Guard's new role in combating the threat of weapons of mass destruction add to the duties. The vital role of the National Guard in protecting our state and nation requires increased federal funding; now, therefore, be it

Resolved by the Senate, That we memorialize the President and Congress to increase funding for full-time National Guard personnel; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-30. A resolution adopted by the Legislature of the State of Nebraska; to the Committee on Finance.

LEGISLATIVE RESOLUTION 29

Whereas, the State of Nebraska filed a lawsuit against the tobacco industry on August 21, 1998, in the district court of Lancaster County; and

Whereas, the State of Nebraska and forty-five other states settled their lawsuits against the tobacco industry on November 23, 1998, under terms of the Tobacco Master Settlement Agreement (MSA) without any assistance from the federal government; and

Whereas, under terms of the Master Settlement Agreement, Nebraska's lawsuit against the tobacco industry was dismissed by the district court of Lancaster County on December 20, 1998, and State Specific Finality was achieved in the State of Nebraska on January 20, 1999; and

Whereas, the State of Nebraska has passed legislation to allocate its portion of settlement funds awarded under the Master Settlement Agreement for the preservation of the health of its citizens; and

Whereas, the federal government, through the Health Care Financing Administration, has asserted that it is entitled to a significant share of settlement funds awarded to the settling states under the Master Settlement Agreement on the basis that such funds represent a portion of federal Medicaid costs; and

Whereas, the federal government previously chose not to exercise its option to file a federal lawsuit against the tobacco industry, but on January 19, 1999, the President of the United States announced plans to pursue federal claims against the tobacco industry; and

Whereas, the State of Nebraska is entitled to all of its portion of settlement funds negotiated in the Master Settlement Agreement without any federal claim to such funds; now, therefore, be it

Resolved by the members of the ninety-sixth legislature of Nebraska, first session:

1. That the Legislature hereby petitions the Congress of the United States and the executive branch of the federal government to prohibit federal recoupment of state tobacco settlement recoveries.

2. That official copies of this resolution be prepared and forwarded to the Speaker of the United States House of Representatives and President of the United States Senate and to all members of the Nebraska delegation to the Congress of the United States with the request that it be officially entered into the Congressional Record as a memorial to the Congress of the United States.

3. That a copy of the resolution be prepared and forwarded to President William J. Clinton.

POM-31. A resolution adopted by the Senate of the Legislature of the State of Rhode Island; to the Committee on Finance.

SENATE RESOLUTION

Whereas, November 23, 1998, representatives from forty-six (46) states signed a settlement agreement with the five (5) largest tobacco manufacturers; and

Whereas, The Attorneys General Master Tobacco Settlement Agreement culminated legal action that began in 1994 when states began filing lawsuits against the tobacco industry; and

Whereas, The respective states are presently in the process of finalizing the terms of the Master Tobacco Settlement Agreement, and are making initial fiscal determinations relative to the most responsible ways and means to utilize the settlement funds; and

Whereas, Under the terms of the agreement, tobacco manufacturers will pay \$206 billion over the next twenty-five (25) years to the respective states in up-front and annual payments; and

Whereas, Rhode Island is projected to receive \$1,408,469,747 through the year 2025 under the terms of the Master Tobacco Settlement Agreement; and

Whereas, Because many state lawsuits sought to recover Medicaid funds spent to treat illnesses caused by tobacco use, the Health Care Financing Administration (HCFA) contends that it is authorized and obligated, under the Social Security Act, to collect its share of any tobacco settlement funds attributable to Medicaid; and

Whereas, The Master Tobacco Settlement Agreement does not address the Medicaid recoupment issue, and thus the Social Security Act must be amended to resolve the recoupment issue in favor of the respective states; and

Whereas, In addition to the recoupment issue, there is also considerable interest, at both the state and national levels, in earmarking state tobacco settlement fund expenditures; and

Whereas, As we move toward final approval of the Master Tobacco Settlement Agreement, it is imperative that state sovereignty be preserved; now, therefore, be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations do hereby memorialize the United States Congress to enact legislation amending the Social Security Act to prohibit recoupment by the federal government of state tobacco settlement funds; and be it further

Resolved, That it is the sense of this Senate that the respective state legislatures should have complete autonomy over the appropriation and expenditure of state tobacco settlement funds; and be it further

Resolved, That the Secretary of State be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Honorable Bill Clinton, President of the United States of America; the President and the Secretary of the U.S. Senate; the Speaker and the Clerk of the U.S. House of Representatives; and to each member of the Rhode Island Congressional Delegation.

POM-32. A resolution adopted by the Senate of the Legislature of the Commonwealth

of Pennsylvania to the Committee on Finance.

RESOLUTION

Whereas, In 1994, several states initiated the first lawsuits against the tobacco industry based on violations of state law; and

Whereas, In 1997, suit was filed by Attorney General D. Michael Fisher on behalf of the Commonwealth; and

Whereas, In November 1998, Attorneys General from 46 states, including the Commonwealth, signed a settlement agreement with the five largest tobacco manufacturers; and

Whereas, As part of the national settlement with the tobacco industry, the tobacco industry will pay the states more than \$200 billion to settle all state lawsuits; and

Whereas, The Commonwealth will be the recipient of more than \$11 billion over the next 25 years; and

Whereas, The national tobacco settlement was solely attributable to states' efforts, was based on state costs and was reached without any assistance from the Federal Government; and

Whereas, The Federal Government is attempting to recoup a sizeable portion of the states' settlement on the theory that section 1903(a)(3) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396b(a)(3)) entitles the Federal Government to a pro rata share of the net amount recovered by a state from liable third parties for the amount spent under Medicaid on behalf of eligible individuals; and

Whereas, The Federal Government is not entitled to take away from the states any funds negotiated on their behalf to settle state lawsuits for recovery of state costs; and

Whereas, The Federal Government can initiate its own lawsuit or settlement with the tobacco industry to recoup Federal Medicaid funds; and

Whereas, Recently, there have been unsuccessful efforts in the United States Senate to earmark or otherwise impose Federal restrictions on the respective states' use of state tobacco settlement funds; and

Whereas, The payments to the Commonwealth will be used to fund important programs and initiatives in this Commonwealth as determined by the General Assembly; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation clarifying section 1903(a)(3) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396b(a)(3)) to protect the states from Federal seizure of any portion of the tobacco settlement funds by the Secretary of Health and Human Services as an overpayment under the Federal Medicaid program; and be it further

Resolved, That the Senate commend the United States Senate for its recent actions to protect the states from loss of autonomy over use of the funds and memorialize Congress to support and enact legislation to fully recognize the states' complete autonomy over the expenditure of state tobacco settlement funds; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-33. A resolution adopted by the House of the Legislature of the Commonwealth of Puerto Rico; to the Committee on Foreign Relations.

RESOLUTION

To express the request of the House of Representatives of Puerto Rico, to the President of the United States, William Jefferson Clinton, and to the Secretary of State, Madeleine

Albright, for them to use all means in their power to intercede in behalf of the liberation of the people arrested and subject to trial in Cuba, for the sole cause of dissidence towards the policies of the government of said Republic, or their exercise of freedom of the press, or their support of the rights of dissidents and journalists.

STATEMENT OF MOTIVES

The rights of freedom of speech, press and to claim redress to the government of the country of which one is a citizen, and to a speedy, public and impartial trial, are norms that govern the rights in all places and for all people, recognized as such since the time of the American and French Revolutions in the XVIII century to the proclamation of the Universal Declaration of Human Rights by the United Nations, fifty years ago and which is still in effect.

This last document was presented to the General Assembly when the delegation of the Republic of Cuba was one of its original subscribers. However, the government of our sister Republic of the Antilles does not respect this principle today.

On July 16, 1997, the Cuban authorities arrested four citizens: Vladimiro Roca-Antónes, Marta Beatriz Roque-Cabello, Félix Bome-Carcasés and René Gómez-Manzano, for the sole reason of having made statements and published documents in which they denounced their dissatisfaction with the thesis of the governing party and exhorted the people to take pacific civil action. For this action, that in Puerto Rico and the democratic countries is totally acceptable in politics and in community life, and which did not entail any act of violence against persons or property, the Cuban government accused the four of counterrevolutionary activities and kept them in prison for nineteen months prior to their trial. During this period, persons such as Pope John Paul II—who achieved the pardon and commutation of penalties for many convicts in many countries—and prime minister Jean Chrétien of Canada, a country with which Cuba has good relations—asked for the freedom of the group of four, which went unnoticed.

In addition to this, as the date of the trial near, the authorities of the neighboring country initiated a wave of detentions and arrests of citizens. Some of them, for being associated to dissident activities, but many others for having simply stated their sympathy or asked for tolerance for those who were first arrested, including the members of the independent news bureau "Cubapress". Many were detained or placed under house arrest during the last days in order to prevent public demonstrations of support. The total number of arrests is estimated in the hundreds, many of whom were detained for short periods, and others for longer ones, and some of them, such as poet Raúl Rivero and the Christian-Democratic leader Osvaldo Payá, were still under arrest when this Resolution was drafted.

On March 1, 1999, when after nineteen months, the Cuban government submitted the four dissidents to a flash trial which lasted only one day, during which it used public force to keep the accredited press and the public at a considerable distance and prevent their access. Observers of recognized diplomatic personnel of the United States, Poland, the Czech Republic, Great Britain, as well as Switzerland, a neutral country, and South Africa which has a revolutionary government, were also denied access.

The People of Puerto Rico, who, as our poet said, "receive flowers or bullets in the same heart" as that of Cuba, expresses solidarity with its sisters and brothers who simply seek to exercise their natural and undeniable right of expression, and demand a dialogue on the future of their country.

The government of Puerto Rico, due to the nature of our present political status, depends on the international forum of the United States government as its representative and agent endowed with sovereignty, without having a direct representation in the instruments of power of said representative and agent. Nevertheless, the House of Representatives cannot remain silent in view of this situation, and, in behalf of the People of Puerto Rico, and under the guarantee of freedom of speech and protest which we enjoy, and which is not enjoyed in Cuba, remits to the government of the United States our clamor to act through all available means to intercede for the freedom of these imprisoned conscientious objectors; now, therefore, be it

Resolved by the House of Representatives of Puerto Rico:

Section 1.—To express the clamor of the House of Representatives of Puerto Rico to the President of the United States, William Jefferson Clinton, and the Secretary of State, Madeleine Albright, to use all means in their power to intercede for the freedom of those persons detained and tried in Cuba solely for their dissidence with the government policies of said republic, or for their exercise of freedom of the press, or their support of the rights of dissidents and journalists.

Section 2.—To state our special concern in the case of journalists, authors and communicators such as Vladimir Roca-Antónes, Marta Beatriz Roque-Cabello, Félix Bonne-Carcasés and René Gómez-Manzano, and the members and directors of independent news bureaus.

Section 3.—This Resolution shall be translated and remitted expeditiously to the President of the United States, William Jefferson Clinton, and to the Secretary of State, Madeleine Albright, as well as to the presidents of both houses of the Congress of the United States.

Section 3.—This Resolution shall take effect immediately after its approval.

POM-34. A concurrent resolution adopted by the Assembly of the State of North Dakota; to the Committee on Rules and Administration.

SENATE CONCURRENT RESOLUTION NO. 4024

A concurrent resolution designating Sakakawea to be honored and memorialized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.

Whereas, Sakakawea was a traveler and guide, a translator, a diplomat, and a wife and mother; and

Whereas, Sakakawea was an Indian woman guide for Meriwether Lewis and William Clark and Sakakawea's indomitable spirit was a deciding factor in the success of Lewis and Clark's two-year expedition to the northwest quadrant of the United States; and

Whereas, William Clark wrote in 1806 that Sakakawea deserved a greater reward for her attention and services on the expedition that he had in his power to give her; and

Whereas, Sakakawea is a legend of truly historic dimensions who lived in what would later become North Dakota and who made a lasting contribution through her courage and resourcefulness; and

Whereas, Sakakawea's traits—strength, courage, a generous heart, and pioneering spirit—have been an essential part of the character found in North Dakotans, thereby representing the best of who we are and why we will always persevere; now, therefore, be it

Resolved by the Senate of North Dakota, the House of Representatives concurring therein:

That the Fifty-sixth Legislative Assembly designate Sakakawea to be honored and memorialized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.; and be it further

Resolved, That the Secretary of State forward copies of this resolution to the chairman of each Indian tribe in this state, to each member of the North Dakota Congressional Delegation, and to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. JEFFORDS, for the Committee on Health, Education, Labor, and Pensions:

Gordon Davidson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

George M. Langford, of New Hampshire, to be a Member of the National Science Board, National Science Foundation.

Joseph A. Miller, Jr., of Delaware, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Robert C. Richardson, of New York, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Cleo Parker Robinson, of Colorado, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

Maxine L. Savitz, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Luis Sequeira, of Wisconsin, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Alice Rae Yelen, of Louisiana, to be a Member of the National Museum Services Board for a term expiring December 6, 2001.

(The above nominations were reported with the recommendation that they be confirmed, subject to nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. JEFFORDS. Mr. President, for the Committee on Health, Education, Labor, and Pensions, I also report favorably a Public Health Service list which was printed in full in the *RECORD* of January 19, 1999, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that the nomination list lie at the Secretary's desk for the information of the Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

In the Public Health Service, nominations beginning Roger I.M. Glass, and ending Richard C. Whitmire, which were received by the Senate and appeared in the *CONGRESSIONAL RECORD* of January 19, 1999.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 827. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Finance.

By Mr. DURBIN:

S. 828. A bill for the relief of Corina Dechalup; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 829. A bill to deauthorize the project for navigation, Searsport Harbor, Searsport, Maine; to the Committee on Environment and Public Works.

S. 830. A bill to deauthorize the project for navigation, Carvers Harbor, Vinalhaven, Maine; to the Committee on Environment and Public Works.

By Mr. MCCAIN:

S. 831. A bill to authorize the Secretary of the Interior to set aside up to \$2 per person from park entrance fees or assess up to \$2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. ROTH, Mr. LOTT, Mr. LIEBERMAN, Mr. DEWINE, Mr. VOINOVICH, and Mr. HAGEL):

S. Con. Res. 27. A concurrent resolution establishing the policy of the United States toward NATO's Washington Summit; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

NO NET LOSS OF PRIVATE LANDS ACT

Mr. THOMAS. Mr. President, this is really the "No-Net-Gain" bill that we have talked about before. The regulation is a commonsense proposal that will limit additional Federal land acquisition in public land States. The Federal Government continues to acquire more land throughout the Nation in every State of the Union, and folks are saying we have to take a new look at the growth of the Federal Government and begin to protect private property rights. This, however, only applies to States in which 25 percent or more of the State now belongs to the Federal Government. So, as you can imagine, the acquisition of additional lands is

especially a problem for those of us living in the West.

Roughly 50 percent of the land in my home State of Wyoming is owned by the Federal Government. In some States it is as high as 87 percent—in Nevada. In Colorado, the home State of the Presiding Officer, it is higher than 50 percent. This bill deals with that sort of phenomenon. As you probably know, in the past, of course, much land was set aside in parks and forests. They were reserve lands. And I support that. I am glad they are set aside. These are national treasures and we want to keep them.

Much of the land, of course, was then put into private ownership through the Homestead Act. When that was concluded, there were still lands there that were left afterwards, and they were taken and are now managed by the Bureau of Land Management. These were not lands that were ever reserved; these were lands that were simply left over when the Homestead Act was completed.

So they, too, are managed for many uses and are important. This bill in no way asks these total lands be reduced. We are simply saying whenever there is an acquisition made for something that is useful—and it does allow the Federal Government to do that, of course—that an equal value of land, Federal land, be sent back into private ownership.

The Federal Government, of course, makes it a little more difficult sometimes in the States to have multiple use, to use them, to set them aside, to manage the environment, but at the same time have economic activities, to have mining, to have oil, to have timber, to have grazing. These are the things, of course, that are the lifeblood to the Western States. This creates often a hardship for the local economies; and it depresses the economy.

The Clinton administration, I think, has been particularly difficult in the way it has handled some of the public lands. The latest proposal, the Lands Legacy Initiative, is an example of a rather expansive acquisition of Federal lands. Again I say I have no objection to the maintaining of lands that have a special character, that have a special need, to be reserved into public ownership. All we say is, if you are going to do that, then release an equal value amount of lands back into private ownership. Many of us are very concerned about the Lands Legacy Initiative, that it will again impede the private ownership, which, of course, is a very basic thing to this whole country.

I think the time has come to put some kind of a bridle on the insatiable appetite for additional land in the western part of the United States. The No-Net-Loss of Private Lands Act is, I think, a reasonable approach to an ever-increasing growth of Federal land ownership. This measure requires the Federal Government to release an equal value of land when it acquires property in the States that are at least 25 percent federally owned.